

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

DAVID SOUTHERN,)	
)	
Plaintiff,)	
)	
v.)	No.: 3:05-CV-413
)	(VARLAN/SHIRLEY)
JO ANNE B. BARNHART,)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

For the reasons stated in the memorandum opinion filed contemporaneously with this order, plaintiff's objections to the report and recommendation of the magistrate judge [Doc. 21] are hereby **OVERRULED**. The report and recommendation [Doc. 20] is **ACCEPTED IN WHOLE** under 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b).

It is **ORDERED**, for the reasons stated in the report and recommendation, which the Court adopts and incorporates into its ruling, that plaintiff's motion for summary judgment [Doc. 14] is **DENIED**; defendant Commissioner's motion for summary judgment [Doc. 18] is **GRANTED**; and defendant Commissioner's decision in this case denying plaintiff's application for supplemental security income benefits under the Social Security Act is **AFFIRMED**. This case is **DISMISSED**.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE